### **EXHIBIT L**

09-50026-mg Doc 5104-14 Filed 03/02/10 Entered 03/02/10 17:30:30 Exhibit L Pg 2 of 5

CRAIGKINN

AUTOMOTIVE GROUP

Corporate Offices

Fax 954.985.3844

2300 North State Road 7 Hollywood, Florida 33021 954.967.4111

Alan N. Jockers, Esq. In-House General Counsel Direct No. (954) 967-4110 Direct Fax (954) 985-7117 ajockers@czag.net

April 3, 2009

VIA OVERNIGHT MAIL & FACSIMILE (617) 973-9532

Nancy Connelly

Mediation Works Incorporated Sep: USED CAR

Third Floor

4 Faneuil Hall

Boston, MA 02109-1632

Date: 04/03/2009 Wgt: 0.1 LBS

SHIPPING:

11.34

. . . .

SPECIAL: HANDLING: 0.28

0.00 TOTAL:

11.62

Svcs: STANDARD OVERNIGHT TRCK: 9357 3705 2713

RE: Request for Mediation - GM Audit of Zinn Companies, Inc. d/b/a Pines

Pontiac-GMC-Buick

Dear Ms. Connelly:

I am providing legal representation to Zinn Companies, Inc. d/b/a Pines Pontiac-GMC-Buick ("PPG" or the "Dealership") in regard to the above referenced matter. Enclosed please find the Dealership's Filing Form requesting mediation, its one page summary of the dispute, and check number 57829 in the amount of \$1,000.00.

Please contact me if anything else is required to initiate the mediation process.

Sincerely yours,

Alan N. Jockers, Esq.

Encis.

Cc via Facsimile: (313) 667-5462

William T. Hepburn, Jr., JMAC Secretary















#### GENERAL MOTORS DISPUTE RESOLUTION PROCESS

## REQUEST FOR MEDIATION Filing Form

#### INSTRUCTIONS:

- Type or Print clearly all information requested on the form and sign in the space provided.
- Attach a one-page description of the specific facts involved in your dispute and briefly explain why you are seeking mediation.
- Forward the completed filing form and the one-page description with a Deposit Check (psyable to "Mediation Works Incorporated") for \$1,000.00 to the Administrator listed below. A photocopy of the filing form and attachments should be sent to the JMAC Secretary. The Deposit will be applied toward the requesting party's mediation expenses.

The Mediation will be conducted in accordance with procedures outlined in the General Motors Dispute Resolution Process.

| Company*: Zinn Companies, Inc. d/b/a By: Patricia A. Parke  |  |                                     |
|---|--|-------------------------------------|
| Street Address: 2300 N. State Rd. 7   | Title:   | Corporate Secretary<br>954/967-4111 |
| City, State, Zip: Hollywood, FL 33021   | Phone:   | 954/985-7117                        |
|   | Fax:   | 204/202-111/                        |
| Party Whose Decision on Action will L. d.   | . 51. 11   |                                     |
| Party Whose Decision or Action will be the Company*: General Motors Corporation   | e Subject of   | the Mediation:                      |
| Name: Dana Rush   | bust . 4   | GM Audit Services                   |
| Street Address: 100 Renaissance Center  | rane: -  | 313/665-3584                        |
| City, State, Zip Detroit, MI 48265-1000   | Phone:   | 313/665-3534                        |
| Mail Code 482 A38 D82   | Fax:   |                                     |
| If additional parties are involved in the dispute, attach a separate sheet<br>Corporate Name and DBA Name   | listing above infor  | mation for each additional party.   |
| f you have any questions, please do not hesitate to call the Adr  |  |                                     |
| Attach a one-page description of the specific facts  If you have any questions, please do not hesitate to call the Adr  GM Dispute Resolution Process Administrator  Nancy Connelly  Mediation Works Incorporated  Third Floor  4 Fancull Hall  Boston, MA 02109-1632  Phone: 617-973-9739 Ext 24 or 800-894-8323  Fax: 617-973-9532  E-mail: ncornelly@mwi.org | JMAC S<br>William<br>General<br>MC: 482<br>100 Ren<br>Detroit,<br>Phone: : |                                     |

# REQUEST FOR MEDIATION ONE PAGE DESCRIPTION OF FACTS INVOLVED IN DISPUTE BETWEEN GENERAL MOTORS AND PINES PONTIAC-GMC-BUICK

The dispute arises from the Audit Results Package which General Motors hand delivered to Pines Pontiac-GMC-Buick ("PPG" or the "Dealership") on March 6, 2009. The Dealership formally responded on April 3, 2009. In summary, and without waiver of any right or remedy it may have, the Dealership disagrees with GM's request for reimbursement and the proposed debit amounts are not accepted, therefore mediation has been requested in regard to the entire audit.

In regard to the "Documentation Not Received" item for \$27,081.79 and "Deviation Notice – Missing Documentation" aspect of the audit, the Dealership provided GM with documentation on April 3, 2009 which supports the Dealership's incentive eligibility for a number of the deliveries at issue.

In regard to the "Total GM Claim for CSI Intervention (SFE)" for an unstated amount, the Dealership has not been provided with adequate information or documentation which would enable it to respond to the claim. For example, it is not clear whether any of the alleged deviations resulted in PPG's receipt of any incentive payments. Additionally, the Dealership objected to the audit because it was conducted in violation of Florida law. As evidenced in the Audit Results Package, the audit covered a period that was more than 18 months prior to the date incentives were paid. PPG therefore requested an explanation as to why the statutory protections it has been afforded under Florida law have been ignored. In pertinent part, Florida Statute section 320.64(25) provides:

Audit of incentive payments shall only be for an 18-month period immediately following the date the incentive was paid. An applicant or licensee shall not deny a claim or charge a motor vehicle dealer back subsequent to the payment of the claim unless the applicant or licensee can show that the claim was false or fraudulent or that the motor vehicle dealer failed to substantially comply with the reasonable written and uniformly applied procedures of the applicant or licensee for such repairs or incentives.

Additionally, the Dealership was not afforded with the full amount of time it is allowed under Florida law to respond to the audit. The audit results package was incomplete, but nonetheless required a response within a 30 day period. Florida law requires "a reasonable period after the meeting within which to respond to the proposed chargebacks, with such period to be commensurate with the volume of claims under consideration, but in no case less than 45 days after the meeting."

09-50026-mg Doc 5104-14 Filed 03/02/10 Entered 03/02/10 17:30:30 Exhibit L Pq 5 of 5 74-478 16100 PINES BLVD. PEMBROKE PINES, FLORIDA 33027 57829 EME BUICK \*\*ONE THOUSAND DOLLARS AND 00/100\*\* DATE **AMOUNT** \$1,000.00 04/02/09 TO THE ZINN COMPANIES, INC. **ORDER** PEATVRES INCLUDED MEDITION WORKS INCORPORATED ÁFTER 90 DAYS 3RD FLOOR, 4 FANEUIL HALL OF **BOSTON MA 02109** COMERICA BANK ANN ARBOR, N.A. ANN ARBOR, MI AUTHORIZED SIGNATURE

#O57829# #O72404786# 2176974364#

NAME NUMBER DATE **MEDITION WORKS INCORPORATED** 04/02/09 S D ACCT# **AMOUNT** CTRL# DESC PO# 1000.00 7230 MEDIATION FEE- GM/PPG 7230 0.00 **AUDIT** 

REMITTANCE ADVICE DETACH AND RETAIN

PINES PONTIAC GMC TRUCK
16100 PINES BLVD.
PEMBROKE PINES, FLORIDA 33027

CHECK NO. 57829 NET AMOUNT

\$1,000.00